

REMARKS

Entry of the foregoing amendment will not introduce new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that the above amendment be entered in and that the claims to the present application be, kindly, reconsidered.

The Office Action dated December 5, 2003 has been received and considered by the Applicants. Claims 1-15 are pending in the present application for invention. Claims 1-5, 7-11, and 13-15 stand rejected and Claims 6 and 12 are objected to by the December 5, 2003 Office Action.

The drawings are objected to because they do not contain certain reference signs and the drawings lack consistency and clarity. Redlined drawings are submitted with this response that correct the reference signals and inconsistencies mentioned by the Examiner in the Office Action.

The Office Action rejects Claims 1, 3-5, 7-11, 13, and 14-15 under the provisions of 35 U.S.C. §102(b), as being anticipated by U.S. Patent No. 4,561,082 issued to Gerard, et al. (hereinafter referred to as Gerard et al.). The Examiner states that Gerard et al. discloses all the elements recite by the rejected claims except Claim 2. The Office Action rejects Claim 2 under the provisions of 35 U.S.C. §103(a) as being unpatentable over Gerard et al. in view of U.S. Patent No. 5,636,197 issued to Tateishi (hereinafter referred to as Tateishi).

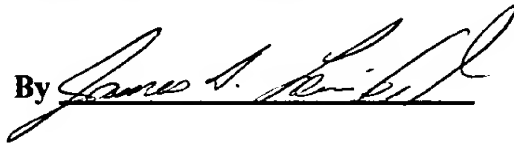
The Examiner that column 3, lines 22-46 of Tateishi discloses measuring the time during which the measurement signal is held and means for causing the measurement signal to be sampled when the time exceeds a predetermined value. The Applicant, respectfully, disagrees with this assertion contained within the Office Action. Tateishi teaches preventing the provision of a sampling pulse within a given time duration. Tateishi discloses that a sample pulse will not be generated if a predetermined time period has not yet expired. (see column 3, lines 37-39 of Tateishi). Tateishi teaches the disabling of sampling pulses. This fact is more clearly evident in the detailed Description of Tateishi on column 5, lines 16-30. The entire premise of the time duration as taught by Tateishi is to prevent sampling pulses when the run length is shorter than a predetermined time length. This is also clearly stated in the Abstract Tateishi.

Accordingly, the independent claims to the present invention have been amended to recite the feature of the present invention wherein the sampling signal is activated after a predetermined time period. This feature is not disclosed, or suggested by the cited references.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited this date with the United States Postal Service as first-class mail in an envelope addressed to: Mail Stop: Non-Fee Amendment, COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450

on: March 5, 2004

(Mailing Date)


(Signature)